



MONTCLAIR

Mission Boulevard Joint Redevelopment Project



Redevelopment Plan

June 2003

Participating Jurisdictions

City of Montclair
and
City of Montclair Redevelopment Agency
5111 Benito Street
P.O. Box 2308
Montclair, California 91763

County of San Bernardino
385 N. Arrowhead Avenue
San Bernardino, CA 92415
and
Redevelopment Agency of the County of San Bernardino
215 North "D" Street, Suite 301
San Bernardino, California 92401 – 0121



Rosenow Spevacek Group, Inc.

217 North Main Street, Suite 300
Santa Ana, California 92701-4822
Phone: (714) 541-4585
Fax: (714) 836-1748
E-Mail: info@webrsg.com

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I. [§100] Introduction

The City of Montclair Redevelopment Agency ("City Agency") and the Redevelopment Agency of the County of San Bernardino ("County Agency") prepared the Redevelopment Plan (the "Plan") for the Mission Boulevard Joint Redevelopment Project (the "Project" or "Project Area") for the City of Montclair (the "City") and the County of San Bernardino (the "County") (together referred as "Participating Jurisdictions"). The Project Area is located both in the City and in a portion of the unincorporated territory of the County. The Plan consists of the Text, the Legal Description of the Project Area Boundaries (Exhibit A), the Project Area Map (Exhibit B), the City Land Use Map (Exhibit C), the County Land Use Map (Exhibit D), and the Proposed Public Improvements (Exhibit E). This Plan was prepared pursuant to the State of California Health and Safety Code Section 33000 et seq. (the "Community Redevelopment Law" or "CRL"), the California Constitution and California State Law ("State Law"), and all applicable local laws and ordinances.

The Participating Jurisdictions will determine the method of implementation of the Plan and the Project through a Cooperation and Implementation Agreement, which may be amended from time to time by actions of the Participating Jurisdictions without an amendment to this Plan. The Plan provides the City Agency and the County Agency (together the "Agencies") with powers, duties, and obligations to implement and further the program generally formulated in this Plan for the redevelopment, rehabilitation, and revitalization of the area within the boundaries of the Project. Because of the long-term nature of this Plan, and the need to retain in the Agencies flexibility to respond to market and economic conditions, property owner and developer interests and opportunities from time to time presented for redevelopment, this Plan doesn't present a precise plan or establish specific projects for the redevelopment, rehabilitation and revitalization of any area within the Project Area, nor does this Plan present specific proposals in an attempt to solve or alleviate the concerns and problems of the community relating to the Project Area. Instead, this Plan presents a process and a basic framework within which specific plans will be presented, specific projects will be established and specific solutions will be proposed, and by which tools are provided to the Agencies to fashion, develop and proceed with such specific plans, projects and solutions.

The proposed redevelopment of the Project Area as described in this Plan conforms to the General Plans for the City and the County.

This Plan is based upon a Preliminary Plan formulated and adopted by the Planning Commissions of the Participating Jurisdictions as follows: City of Montclair Planning Commission Resolution No. 02-1500, adopted on February 11, 2002, and San Bernardino County Planning Commission minute action approval on February 20, 2003.

The purpose of the Community Redevelopment Law will be attained through, and the major goals of this Plan are:

1. To eliminate and prevent of the spread of blight and deterioration, and the conservation, rehabilitation and redevelopment of the Project Area.
2. To encourage cooperation, and participation of residents, businesspersons, public agencies, and community organizations in revitalization of the Project Area.
3. To encourage private sector investment in the development and redevelopment of the Project Area by providing financial assistance.
4. To promote the economic well-being of the Project Area by encouraging the diversification and development of the economic base and to assist development of both short and long term employment opportunities in the Project Area, the City, and the County.
5. To develop and improve housing stock, especially for the low and moderate-income category, and increase homeownership.
6. To develop and improve affordable housing opportunities.
7. To provide adequate roadways, traffic and circulation improvements to correct street deficiencies, alignment problems, and road hazards.
8. To stimulate private sector investment for the development of the Project Area.
9. To expand the resource of developable land by making underutilized land available for development.
10. To upgrade the existing commercial and industrial uses in the Project Area.
11. To enable assembling and disposition of land into parcels suitable for modern integrated development with improved development standards, and pedestrian and vehicular circulation in the area.

II. [§200] Description of Project Area

Generally, the Project's boundaries include State Street to the north, Benson Avenue to the east, Kadota and Roswell Avenues to the west (County Line), and Mission Boulevard with parcels extending to the south. The Project Area encompasses parts of the City and adjacent County unincorporated territory and contains approximately 237 dwelling units. The proposed Project Area, approximately 404+ acres in area, is bisected by two of the City Agency's existing redevelopment projects, thereby creating three (3) distinct sub-areas, identified as Sub-Area 1, Sub-Area 2, and Sub-Area 3.

Specifically, the boundaries of the Project Area are described in the "Legal Description of the Project Area Boundaries," attached hereto as Exhibit A and

incorporated herein by reference, and are shown on the “Project Area Map,” attached hereto as Exhibit B and incorporated herein by reference. The Legal Description of the Project Area Boundaries describes the Project Area, and the Project Area Map shows the boundaries of the Project Area.

III. [§300] Proposed Redevelopment Actions

[§301] General

The Agencies, in accordance with and pursuant to applicable law, proposes to eliminate and prevent the spread of blight and deterioration in the Project Area through the use of any of the following approaches, singly or in combination:

1. The acquisition, installation, construction, reconstruction, redesign, or reuse of streets, utilities, curbs, gutters, sidewalks, traffic control devices, flood control facilities, buildings, structures, parks, playgrounds, and other public improvements.
2. The rehabilitation, remodeling, demolition, or removal of buildings, structures, and improvements.
3. The rehabilitation, development, preservation, provision, or construction of affordable housing in compliance with State Law.
4. Providing the opportunity for participation by owners and tenants presently located in the Project Area and the extension of preferences to persons engaged in business desiring to remain or relocate within the redeveloped Project Area.
5. Providing relocation assistance to displaced occupants in accordance with applicable State Law.
6. The development or redevelopment of land by private enterprise or public agencies for purposes and uses consistent with the objectives of this Plan.
7. The acquisition of real property, personal property, any interest in property, and improvements on the property by purchase, lease, option, grant, bequest, gift, devise, or any other lawful means, or, where it is deemed necessary, by exercising the power of eminent domain, as permitted by Section 308 of this Plan, after conducting appropriate public hearings and making appropriate findings.
8. Site preparation, development, and construction of necessary off-site improvements.
9. Improving open space.

10. Managing property acquired by the Agencies.
11. Providing financing for the assistance of commercial and industrial development that increases the economic base of the Project Area, the City, and the County, and the number of temporary and permanent jobs.
12. The disposition of real property, personal property, any interest in property, and improvements on the property through methods such as sale, lease, exchange, subdivision, transfer, assignment, pledge, encumbrance or any other lawful means of disposition.
13. Recommending standards to ensure that property will continue to be used in accordance with this Plan.
14. The closure or vacation of certain streets, and the dedication of other areas for public purposes.
15. Providing replacement housing, as required.
16. Applying for, receiving and utilizing grants, and loans from federal or state governments or any other source.
17. Clearing or moving buildings, structures, or other improvements from any real property acquired by the Agencies.
18. The financing of projects and programs within the Project Area by issuance of bonds and other obligations in the manner provided under Section 500 of this Plan and in conformity with State Law and federal law.
19. Taking actions the Agencies determine as necessary and consistent with the State, federal and local laws to make structural repairs to buildings and structures including historical buildings, to meet the building code standards related to seismic safety.
20. Taking actions the Agencies determine as necessary and consistent with the State, federal and local laws to remedy or remove a release of hazardous substance on, under, of from property within the Project Area, or to remove hazardous waste from property.
21. Assisting businesses in the Project Area with façade improvements and general rehabilitation by providing loans and grants.

In the accomplishment of these purposes and activities and in the implementation and furtherance of this Plan, the Agencies are authorized to use all the powers provided in this Plan and all the powers now or hereafter permitted by the CRL or State law.

[§302] Participation Opportunities; Extension of Preferences for Re-Entry Within Redeveloped Project Area

[§303] Opportunities for Owners and Business Tenants

In accordance with this Plan and the rules for participation by owners and the extension of preferences to business tenants adopted by the Agencies (Owner Participation Rules) pursuant to this Plan and the CRL, persons who are owners of real property in the Project Area shall be given a reasonable opportunity to participate in redevelopment by:

1. Retaining all or a portion of their properties and developing or improving such property for use in accordance with this Plan;
2. Acquiring adjacent or other properties within the Project Area and developing or improving such property for use in accordance with this Plan; or
3. Selling their properties to the Agencies and purchasing other properties in the Project Area.

The Agencies shall extend reasonable preferences to persons who are engaged in business in the Project Area to participate in the redevelopment of the Project Area, or to re-enter into business within the redeveloped Project Area, if they otherwise meet the requirements prescribed in this Plan.

[§304] Rules for Participation Opportunities, Priorities and Preferences

In order to provide opportunities to owners to participate in the redevelopment of the Project Area and to extend reasonable preferences to businesses to re-enter into business within the redeveloped Project Area, the Agencies shall promulgate rules (Owner Participation Rules), which may be amended from time to time by the Agencies, for participation by owners and the extension of preferences to business tenants for re-entry within the redeveloped Project Area. If conflicts develop between the desires of participants for particular sites or land uses, the Agencies are authorized to establish reasonable priorities and preferences among the owners and business tenants. Some of the factors to be considered in establishing these priorities and preferences may include a participant's length of occupancy in the area, accommodation of as many participants as possible, similarity of land use, the necessity to assemble sites for integrated, modern development, conformity of a participant's proposal with the intent and objectives of this Plan, and service to the community of a participant's proposal.

In addition to opportunities for participation by individual persons and firms, participation shall be available for two or more persons, firms, or institutions to join together in partnerships, corporations, or other joint entities.

Participation opportunities shall necessarily be subject to and limited to such factors as:

1. The elimination and changing of some land uses;
2. The construction, widening or realignment of some streets;
3. The ability of participants to finance acquisition and development or rehabilitation in accordance with this Plan;
4. The reduction in the total number of individual parcels in the Project Area;
and
5. The construction or expansion of public facilities.

[§305] Owner Participation Agreements

The Agencies may require that, as a condition to participate in redevelopment, each participant shall enter into a binding agreement with the City Agency or County Agency by which the owner participant agrees to rehabilitate, develop and use and maintain the property in conformance with this Plan and to be subject to the provisions hereof. In such agreements, owner participants who retain real property shall be required to join in the recordation of such documents as may be necessary to make the provisions of this Plan applicable to their properties. Whether or not an owner participant enters into an owner participation agreement with the City Agency or County Agency, the provisions of this Plan are applicable to all public and private property in the Project Area.

In the event an owner participant fails or refuses to rehabilitate, develop and use and maintain its real property pursuant to this Plan and an owner participation agreement, the real property or any interest therein may be acquired by the City Agency or County Agency and sold or leased for rehabilitation or development in accordance with this Plan.

[§306] Conforming Owners

The Agencies may, at their sole and absolute discretion, determine that certain real property with the Project Area presently meets the requirements of this Plan, and the owner of such property will be permitted to remain as a conforming owner without an owner participation agreement with the applicable City Agency or County Agency, provided such owner continues to operate, use and maintain the real property within the requirements of this Plan. However, a conforming owner shall be required by the Agencies to enter into an owner participation agreement with the applicable City Agency or County Agency in the event that such owner desires to:

1. Construct any additional improvements or substantially alter or modify existing structures on any of the real property described above as conforming; or
2. Acquire additional property within the Project Area.

[§307] Cooperation with Public Bodies

Certain public bodies are authorized by State Law to aid and cooperate, with, or without consideration, in the planning, undertaking, construction, or operation of this Project. The Agencies shall seek the aid and cooperation of such public bodies and shall attempt to coordinate this Plan with the activities of such public bodies in order to accomplish the purposes of redevelopment and the highest public good. The City Agency and County Agency, by CRL, are not authorized to acquire real property owned by public bodies without the consent of such public bodies. The Agencies, however, will seek the cooperation of all public bodies, which own or intend to acquire property in the Project Area. Any public body which owns or leases property in the Project Area will be afforded all the privileges of owner and tenant participation if such public body is willing to enter into a participation agreement with the applicable City Agency or County Agency. All plans for development of property in the Project Area by a public body shall be subject to Agencies' approval.

The Agencies may impose on all public bodies the planning and design controls contained in this Plan to insure that present uses and any future development by public bodies will conform to the requirements of this Plan. The Agencies are authorized to financially (and otherwise) assist any public entity in the cost of public land, buildings, facilities, structures, or other improvements (within or without the Project Area), which land, buildings, facilities, structures, or other improvements are or would be of benefit to the Project.

[§308] Property Acquisition

[§309] Real Property

Except as specifically exempted herein, the Agencies may acquire, but are not required to acquire, any real property located in the Project Area by any means authorized by the CRL.

It is in the public interest and is necessary in order to eliminate the conditions requiring redevelopment and in order to execute this Plan for the power of eminent domain to be employed by the Agencies to acquire real property in the Project Area which cannot be acquired by gift, devise, exchange, purchase or any other lawful method will be the responsibility of the City Agency or the County Agency to use its power of eminent domain to acquire property within its territorial jurisdiction needed to further the Plan. It is not the intent of the City Agency or the County Agency to use eminent domain in residential areas in the Project Area. Consequently, this Plan does not authorize the power of eminent domain by the City Agency and County Agency over properties on which people reside or properties with a residential land use designation on the Participating Jurisdictions' respective General Plans.

Eminent domain proceedings, if used in the Project Area by the City Agency or County Agency, must be commenced within twelve (12) years from the date the last ordinance adopting this Plan becomes effective.

The City Agency and County Agency shall not acquire real property to be retained by an owner pursuant to an owner participation agreement if the owner fully performs under the agreement. The City Agency and County Agency are authorized to acquire structures without acquiring the land upon which those structures are located. The City Agency and County Agency are authorized to acquire either the entire fee or any other interest in real property less than a fee.

The City Agency and County Agency shall not acquire real property on which an existing building is to be continued on its present site and in its present form and use without the consent of the owner unless:

1. Such building requires structural alternation, improvement, modernization or rehabilitation;
2. The site, or lot on which the building is situated, requires modification in size, shape or use; or
3. It is necessary to impose upon such property any of the controls, limitations, restrictions and requirements of this Plan, and the owner fails or refuses to execute an owner participation agreement in accordance with the provisions of this Plan.

The City Agency and County Agency are not authorized to acquire real property owned by public bodies, which do not consent to such acquisition. The City Agency and County Agency are authorized, however, to acquire public property transferred to private ownership before redevelopment of the Project Area is completed, unless the City Agency or County Agency and the private owner enter into an owner participation agreement and the owner completes his responsibilities under the owner participation agreement.

[§310] Personal Property

Generally, personal property shall not be acquired. However, where necessary in the execution of this Plan, the City Agency and County Agency are authorized to acquire personal property in the Project Area by any lawful means, including eminent domain to the extent authorized in this Plan, subject to the restrictions in Section 309 above.

[§311] Property Management

During such time as property, if any, in the Project Area is owned by the City Agency or County Agency, such property shall be under the management and control of the City Agency or County Agency. Such property may be rented or leased by the City Agency or County Agency pending its disposition for redevelopment, and such rental or lease shall be pursuant to such policies as the Agencies may adopt.

[§312] Statutory Payments to Affected Taxing Agencies

To the extent applicable, and in the amounts and manner provided therein, the City Agency and County Agency shall annually pay to Project Area affected taxing entities the payments required by Section 33607.5, Section 33676(b), and any other pertinent and applicable sections of the CRL. The Participating Jurisdictions may waive any rights they have to receive such payments.

**[§313] Relocation of Persons (Including Individuals and Families),
Business Concerns and Others Displaced by the Project**

[§314] Assistance in Finding Other Locations

The Agencies shall assist all persons (including individuals and families), business concerns, and others displaced by the Project in finding other locations and facilities. In order to carry out the Project with a minimum of hardship to persons (including individuals and families), business concerns and others, if any, displaced from their respective places of residence or business by the Project, the Agencies shall assist such persons (including individuals and families), business concerns and others in finding new locations that are decent, safe, sanitary, within their respective financial means, in reasonably convenient locations and otherwise suitable to their respective needs. The Agencies may also provide housing inside or outside the Project Area for displaced persons.

[§315] Relocation Payments

The Agencies shall make relocation payments to persons (including individuals and families), business concerns and others displaced by the Project for moving expenses and direct losses of personal property and additional relocation payments as may be required by law. Such relocation payments shall be made pursuant to the California Relocation Assistance Law (Government Code Section 7260 et seq.), the CRL, and City Agency or County Agency guidelines, rules, and regulations adopted pursuant thereto (General Relocation Rules). The City Agency or County Agency may make such other payments as may be appropriate and for which funds are available.

[§316] Demolition, Clearance, and Building and Site Preparation

[§317] Demolition, Clearance, and Removal of Hazardous Waste

The City Agency and County Agency are authorized, for property acquired by the City Agency or County Agency or pursuant to an owner participation agreement with the owner of the property, to demolish and clear buildings, structures, and other improvements from any real property in the Project Area as necessary to carry out the purposes of this Plan.

To the extent legally allowable, the Agencies may, in their sole discretion, take any actions, which the Agencies determines are necessary, and which are

consistent with other State and federal laws, to remedy or remove a release of hazardous substances on, under, or from property within the Project Area.

[§318] Preparation of Building Sites and Installation of Public Improvements

The Agencies are authorized to prepare, or cause to be prepared, as building sites any real property in the Project Area owned by the City Agency or County Agency. In connection therewith, the Agencies may cause, provide for, or undertake the installation or construction of public facilities for itself or for any public body or entity for the benefit of the Project Area, including but not limited to: over or underpasses; bridges; streets; bikeways; curbs; gutters; sidewalks; street lights; sewers; storm drains; traffic signals; electrical distribution systems; natural gas distribution systems; wastewater treatment facilities; cable TV and fiber optic communication systems; water distribution systems; parks; windbreaks; trails; plazas; playgrounds; motor vehicle parking facilities; landscaped areas; schools; civic, cultural and recreational facilities; camping facilities; and pedestrian improvements. The Agencies are also authorized to construct foundations, platforms and other structural forms necessary for the provision or utilization of air rights sites for buildings to be used for residential, commercial, industrial, public and other uses provided in this Plan.

For the Agencies to develop sites for commercial or industrial use by providing streets, sidewalks, utilities or other improvements which an owner or operator of the site would otherwise be obliged to provide, the Agencies shall utilize the process and procedures governing such assistance for development stated in this Plan.

An initial and partial list of public improvements is shown on Exhibit E of this Plan.

[§319] Property Disposition and Development

[§320] Real Property Disposition and Development

[§321] General

For the purposes of this Plan, the Agencies are authorized to sell, lease, exchange, subdivide, transfer, assign, pledge, encumber by mortgage or deed of trust, or otherwise dispose of any interest in real property. To the extent permitted by the CRL, the Agencies are authorized to dispose of real property by negotiated lease, sale, or transfer without public bidding. Property containing buildings or structures rehabilitated buildings or structures rehabilitated by the Agencies shall be offered for resale within one (1) year after completion of rehabilitation or an annual report concerning such property shall be published by the Agencies as required by the CRL.

Real property acquired by the City Agency or County Agency may be conveyed by the City Agency or County Agency without charge to any of

the Participating Jurisdictions and, where beneficial to the Project Area, without charge to any other public body. All real property acquired by the City Agency or County Agency in the Project Area shall be sold or leased to public or private persons or entities for development for the uses permitted in this Plan.

All purchasers or lessees of property acquired from the City Agency or County Agency shall be obligated to use the property for the purposes designated in this Plan, to begin and complete development of the property within a period of time which the City Agency or County Agency fixes as reasonable and to comply with other conditions which the Participating Jurisdictions deems necessary to carry out the purposes of this Plan.

[§322] Disposition and Development Documents

To provide adequate safeguards to ensure that the provisions of this Plan will be carried out and to prevent the recurrence of blight, all real property sold, leased, or conveyed by the City Agency or County Agency, as well as all property subject to owner participation agreements, is subject to the provisions of this Plan.

The City Agency and County Agency shall reserve such powers and controls in the disposition and development documents as may be necessary to prevent transfer, retention or use of property for speculative purposes and to ensure that development is carried out pursuant to this Plan.

Leases, deeds, contracts, agreements and declarations of restrictions of the City Agency and County Agency may contain restrictions, covenants, covenants running with the land, rights of reverter, conditions subsequent, equitable servitudes or any other provisions necessary to carry out this Plan.

Where appropriate, as determined by the City Agency or County Agency, such documents, or portions thereof, shall be recorded in the office of the Recorder of the County of San Bernardino.

All real property in the Project Area sold, leased, or conveyed to or by the City Agency or County Agency, as well as all property subject to a participation agreement, shall be subject to the restriction that there shall be no discrimination or segregation based upon race, color, creed, religion, sex, marital status, national origin or ancestry in the sale, lease, sublease, transfer, use, occupancy, tenure or enjoyment of such property. Such property shall be expressly made subject, by appropriate documents, to the restriction that all deeds, leases or contracts for the sale, lease, sublease or other transfer of such property shall contain such nondiscrimination and nonsegregation clauses as required by the CRL.

Pursuant to the CRL Sections 33337 and 33435-33436, contracts entered into by the City Agency or County Agency relating to the sale, transfer or leasing of land, or any interest therein acquired by the City Agency or County Agency within any survey area or redevelopment project, shall comply with the provisions of said sections in substantially the form set forth therein. All such contracts shall further provide that the provisions of said sections shall be binding upon and shall obligate the contracting party or parties and any subcontracting party or parties, or other transferees under the instrument.

All deeds, leases, and contracts which the City Agency or County Agency proposes to enter into with respect to the sale, lease, sublease, transfer, use, occupancy, tenure or enjoyment of any land in the Project Area shall substantially contain the following nondiscrimination and non-segregation clauses as prescribed by the CRL, Section 33436:

a) In deeds, the following language shall appear:

“The grantee herein covenants by and for himself or herself, his or her heirs, executors, administrators and assigns, and all persons claiming under or through them, that there shall be no discrimination against or segregation of, any person or group of persons on account of race, color, creed, religion, sex, marital status, national origin, or ancestry in the sale, lease, sublease, transfer, use, occupancy, tenure, or enjoyment of the premises herein conveyed, nor shall the grantee or any person claiming under or through him or her, establish or permit any such practice or practices of discrimination or segregation with reference to the selection, location, number, use or occupancy of tenants, lessees, subtenants, sublessees, or vendees in the premises herein conveyed. The foregoing covenants shall run with the land.”

b) In leases, the following language shall appear:

“The lessee herein covenants by and for himself or herself, his or her heirs, executors, administrators, and assigns, and all persons claiming under or through him or her, and this lease is made and accepted upon and subject to the following conditions:

That there shall be no discrimination against or segregation of any person or group of persons, on account of race, color, creed, religion, sex, marital status, national origin, or ancestry, in the leasing, subleasing, transferring, use, occupancy, tenure, or enjoyment of the premises herein leased nor shall the lessee himself, or any person claiming under or through him or her, establish or permit any such practice or practices of discrimination or segregation with reference to the selection, location, number, use, or occupancy, of tenants, lessees, sublessees, subtenants, or vendees in the premises herein leased.”

c) In contracts, the following language shall appear:

“There shall be no discrimination against or segregation of any person or group of persons on account of race, color, creed, religion, sex, marital status, national origin or ancestry in the sale, lease, sublease, transfer, use, occupancy, tenure or enjoyment of the land, nor shall the transferee itself or any person claiming under or through it, establish or permit any such practice or practices of discrimination or segregation with reference to the selection, location, number, use or occupancy of tenants, lessees, subtenants, sublessees or vendees of the land. The foregoing provision shall be binding upon and shall obligate the contracting party or parties and any subcontracting party or parties, or other transferees under the instrument.”

[§323] Development by the Agencies

To the extent now or hereafter permitted by the CRL, the Agencies are authorized to pay for, develop or construct any publicly-owned building, facility, structure or other improvement either within or without the Project Area, for itself or for any public body or entity, which buildings, facilities, structures or other improvements are or would be of benefit to the Project Area or the immediate neighborhood. Specifically, Agencies may pay for, install, or construct the buildings; facilities, structures and other improvements identified in Exhibit E, attached hereto and incorporated herein by reference, and may acquire or pay for the land required therefore.

In addition to the public improvements authorized under Section 318 of this Plan and identified in Exhibit E this Plan, the Agencies are authorized to install and construct, or cause to be installed and constructed, within or without the Project Area, for itself or for any public body or entity for the benefit of the Project Area, public improvements, including, but not limited to, the following:

- a) improvements to the general circulation system, streets, roadways, bike lanes, and access to properties;
- b) install street lights, curbs, gutters, driveways, and sidewalks;
- c) improve water, sewer, and storm drain facilities;
- d) provide for community service facilities, parks, plazas, and playgrounds;
- e) improve or provide for public facilities for law enforcement, fire, and public works;
- f) parking and transit facilities;

- g) parkways and landscaped areas; and
- h) signage.

The Agencies may enter into contracts, leases and agreements with other public body or entity pursuant to this Section 323, and the obligation of the Agencies under such contract, lease or agreement shall constitute an indebtedness of the Agencies which may be made payable out of the taxes levied in the Project Area and allocated to the Agencies under subdivision (b) of Section 33670 of the CRL and Section 502 of this Plan or out of any other available funds.

[§324] Development Plans

All development plans (whether public or private) shall be submitted to the Agencies for approval if such review and approval does not exist in the applicable Participating Jurisdictions. All development in the Project Area must conform to design review and/or development standards, if any, of the Participating Jurisdictions in which the development is located. The Agencies reserves for themselves the right of design, development, and architectural review for any land it sells or enters into an owner participation agreement for a development.

[§325] Personal Property Disposition

For the purposes of this Plan, the City Agency and County Agency are authorized to lease, sell, exchange, transfer, assign, pledge, encumber, or otherwise dispose of personal property, which is acquired by the City Agency or County Agency.

[§326] Rehabilitation, Conservation and Moving of Structures

[§327] Rehabilitation and Conservation

The Agencies are authorized to rehabilitate and conserve, or to cause to be rehabilitated and conserved, any building or structure in the Project Area owned by the City Agency or County Agency. The Agencies are also authorized and directed to advise, encourage, and assist in the rehabilitation and conservation of property in the Project Area not owned by the City Agency or County Agency. The Agencies are also authorized to acquire, restore, rehabilitate, move, and conserve buildings of historic or architectural significance.

It shall be the purpose of this Plan to allow for the retention of as many existing businesses as practicable and to enhance the economic life of these businesses by a program of voluntary participation in their conservation and rehabilitation as long as these businesses fulfill the requirements and meet the goals and objectives of the Plan. The Agencies are authorized to conduct a program of assistance and enforcement to encourage owners of property within the Project Area to upgrade and maintain their property consistent with this Plan and such standards as may be developed for the Project Area.

The extent of rehabilitation in the Project Area shall be subject to the discretion of the Agencies based upon such objective factors as:

1. Compatibility of rehabilitation with land uses as provided for in this Plan.
2. Economic feasibility of proposed rehabilitation and conservation activity.
3. Structural feasibility of proposed rehabilitation and conservational activity.
4. The Agencies may adopt the undertaking of rehabilitation and conservation activities in an expeditious manner and in conformance with the requirements of this Plan and such property rehabilitation and design standards as may be adopted by the Agencies.
5. The need for expansion of public improvements, facilities, and utilities.
6. The assembly and development of properties in accordance with this Plan.
7. To conduct seismic repairs and seismic retrofits to meet seismic standards.
8. The undertaking of graffiti removal from public or private property.

The Agencies may adopt property rehabilitation standards, design criteria, and development standards for the rehabilitation of properties in the Project Area.

[§328] The Clearance or Moving of Structures

As necessary in carrying out this Plan, the Agencies are authorized to clear/demolish structures and/or move, or to cause to be moved, any standard structure or building or any structure or building, which can be rehabilitated to a location within or outside the Project Area.

[§329] Low- and Moderate-Income Housing

[§330] General

The State of California finds and declares that the provision of housing is itself a fundamental purpose of the CRL and that a generally inadequate statewide supply of decent, safe, and sanitary housing affordable to persons and families of low or moderate income, as defined by Section 50093 of the State Health and Safety Code, threatens the accomplishment of the primary purposes of the CRL, including job creation, attracting new private investments, and creating physical, economic, social, and environmental conditions to remove and prevent the recurrence of blight. Therefore, the City Agency and County Agency may, inside or outside the Project Area: acquire real property, buildings sites, buildings or structures; donate real property; improve real property or building sites; construct or rehabilitate buildings or structures; and take any other such actions as may be permitted by the CRL, for the purposes of increasing, improving, and preserving

the community's supply of low- and moderate-income housing available at affordable housing cost in order to provide housing for persons and families of low or moderate income. However, the use of housing funds outside the Project Area may be used only after findings of benefit to the Project are made by the applicable agency as required by Section 33334.2 of the CRL by the Participating Jurisdictions. It is the intent of the City Agency and the County Agency to use all or portion of its respective housing set-aside funds outside the Project Area.

[§331] Low to Moderate Income Housing Fund

Subject to the provisions of Section 33334.2 et seq. of the CRL, and unless otherwise permitted by State law, not less than twenty percent (20%) of all taxes which are allocated to the City Agency and to the County Agency pursuant to subdivision (b) of Section 33670 of the CRL and subsections 1 and 2 of Section 502 of this Plan shall be deposited by the City Agency and the County Agency respectively into a separate Low and Moderate Income Housing Fund or Funds ("Housing Fund") established for the Project Area pursuant to Section 33334.3 of the CRL until used. The City Agency and the County Agency shall use the monies in its respective Housing Fund for the purposes of increasing, improving, and preserving the community's supply of low- and moderate-income housing available at affordable housing cost, as defined by Sections 33334.2 and 50052.5, to persons and families of low or moderate-income, as defined in Sections 50093, lower income households, as defined in Section 50079.5, very low income households, as defined in Section 50105, and extremely low income households, as defined in Section 50106, that is occupied by persons and families, respectively, of the CRL. The City Agency and the County Agency will use its monies from its respective Housing Fund in compliance with the CRL outside the Project Area for the benefit of the Project Area.

[§336] Increased and Improved Housing Supply

In carrying out this purpose and subject to the requirements of CRL, the City Agency and the County Agency may exercise any or all of its powers authorized in that Section 33334.2 et seq., including the following:

- a) Acquire land or building sites;
- b) Improve land or building sites with on-site or off-site improvements, but only if both 1) the improvements are part of the new construction or rehabilitation of affordable housing units for low- or moderate-income persons that are directly benefited by the improvements, and are a reasonable and fundamental component of the housing units, and 2) the City Agency or County Agency requires that the units remain available at affordable housing cost to, and occupied by, persons and families of extremely low, very low, low, or moderate income for the same time period and in the same manner as provided in Section 33334.3 of the CRL;
- c) Donate land to private or public persons or entities;

- d) Finance insurance premiums pursuant to Section 33136 of the CRL.
- e) Construct buildings or structures;
- f) Acquire buildings or structures;
- g) Rehabilitate buildings or structures;
- h) Provide subsidies to, or for the benefit of, extremely low income households, very low income households, lower income households or persons or families of low- or moderate-income to the extent those households cannot obtain housing at affordable costs on the open market;
- i) Develop plans, pay principal and interest on bonds, loans, advances, or other indebtedness, or pay financing or carrying charges;
- j) Maintain the community's supply of mobile homes; and
- k) Preserve the availability to lower income households of affordable housing units in housing developments which are assisted or subsidized by public entities and which are threatened with imminent conversion to market rates.

The City Agency and County Agency may use these funds to meet, in whole or in part, the replacement housing provisions in Section 332 below. These funds may be used inside or outside the Project Area provided, however, that funds may be used outside the Project Area only in findings of benefit to the Project are made as required by said Section 33334.2 of the CRL by the Agency proposing such use.

The expenditures or obligations incurred by the City Agency and the County Agency pursuant to Section 331 of this Plan shall constitute an indebtedness of the Project Area.

The funds for this purpose shall be held in the said respective Housing Fund established pursuant to Section 33334.3 of the CRL until used. Any interest earned by such Housing Fund shall accrue to the Fund.

[§332] Use of Funds for Replacement Housing

Commencing with the effective date of the last ordinance adopting this Plan, in accordance with Section 33413 and 33413.5 of the CRL, the Agencies shall provide for replacement housing whenever dwelling units housing persons and families of low- or moderate-income within the Project Area, which is subject to a written agreement with the City Agency or County Agency or where financial assistance has been provided by the City Agency or County Agency, are destroyed or removed from the low- and moderate-income housing market as part of the Project. The City Agency or County Agency shall, within four (4) years of such destruction

or removal, rehabilitate, develop or construct, or cause to be rehabilitated, developed or constructed, for rental or sale to persons and families of low- or moderate-income an equal number of replacement dwelling units at affordable housing costs within the Project Area or within the territorial jurisdiction of the applicable City Agency or County Agency in accordance with all of the provisions of Sections 33413 and 33413.5 of said CRL.

One hundred percent (100%) of the replacement dwelling units shall replace dwelling units available at affordable housing costs in the same income level of very low-income households, lower income households, and persons and families of low and moderate income as the persons displaced from those units destroyed or removed. The City Agency or County Agency may replace destroyed or removed dwelling units housing persons and families of low or moderate income with a fewer number of replacement dwelling units if the replacement dwelling units have a greater or equal number of bedrooms and are affordable to the same income level of households as the destroyed or removed units to the extent permissible by the CRL as it now exists or may hereafter be amended.

[§333] New or Rehabilitated Dwelling Units Developed within the Project Area

Unless otherwise permitted by law, at least thirty percent (30%) of all new and substantially rehabilitated dwelling units developed by the City Agency or County Agency, if any, shall be available at affordable housing cost to persons and families of low or moderate income. Not less than fifty percent (50%) of the dwelling units required being available at affordable housing cost to persons and families of low or moderate income shall be available at affordable housing costs to, and occupied by, very low-income households.

In addition, unless otherwise permitted by law, at least fifteen percent (15%) of all new and substantially rehabilitated dwelling units developed within a project area by public or private entities or persons other than the City Agency or County Agency, if any, shall be available at affordable housing costs to persons and families of low or moderate income. Of such fifteen percent (15%), not less than forty percent (40%) shall be available at affordable housing cost to persons and families of low or moderate income shall be available at affordable housing costs to very low-income households.

The City Agency and County Agency may satisfy the provisions of the above paragraphs, in whole or in part, by any of the methods described in Section 33413(b) of the CRL, or any other method permitted by law.

The percentage requirements set forth in this Section 333 shall apply independently of the requirements of Section 332, and in the aggregate to housing made available pursuant to this Section 333, and not to each

individual case of rehabilitation, development, or construction of dwelling units, unless the City Agency or County Agency determines otherwise.

Pursuant to Section 33413(b)(4) of the CRL, the City Agency and County Agency shall prepare and adopt a plan to comply with the requirements set forth above, for the Project Area. The plan shall be consistent with, and may be included within the Housing Element of the Participating Jurisdiction's General Plan. Unless otherwise permitted by State Law and the CRL, the plan shall be reviewed and, if necessary, amended at least every five (5) years in conjunction with the housing element cycle. Unless otherwise permitted by law, the plan shall ensure that the requirements of this section are met every ten (10) years.

If all or any portion of the Project Area is developed with low or moderate income housing units, the City Agency or County Agency shall require by contract, or other appropriate means, that such housing be made available for rent or purchase to the persons and families of low and moderate income displaced by the redevelopment project. Such persons and families shall be given priority in renting or buying such housing; provided, however, failure to give such priority shall not affect the validity of title to real property.

[§334] Duration of Dwelling Unit Availability

The City Agency and County Agency shall require that the aggregate number of replacement dwelling units and other dwelling units rehabilitated, developed, constructed, or price-restricted pursuant to Sections 332 and 333 shall remain available at affordable housing cost to persons and families of low income, moderate income and very low income households, respectively, for the longest feasible time, as determined by the City Agency or County Agency, but for not less than the period set forth in Section 336 of this Plan, except to the extent a longer or shorter period of time is permitted or required by other provisions of the CRL.

[§335] Monitoring

Pursuant to Section 33418 of the CRL, the applicable City Agency or County Agency shall monitor, on an ongoing basis, any housing affordable to persons and families of low or moderate income developed, or otherwise made available, pursuant to the CRL. As part of this monitoring, the City Agency or County Agency shall require owners or managers of the housing to submit an annual report to the respective City Agency or County Agency. The annual reports shall include for each rental unit: the rental rate; the income; and the family size of the occupants; and for each owner occupied unit: whether there was a change in ownership from the prior year; and, if so, the income and family size of the new owners. The owner or tenant shall supply the income information required by this section in a certified statement on a form provided by the City Agency or County Agency.

[§336] Duration of Affordability

According to Section 33334.3 of the CRL, all new or substantially rehabilitated housing units developed or otherwise assisted with monies from the respective Housing Funds pursuant to an agreement, shall be available to, or occupied by, persons and families of low or moderate-income, as defined in Section 50093, and very low-income households, as defined in Section 50105, of the CRL, and shall be restricted and made available at such affordable costs for the longest feasible time, but for not less than the following periods of time:

- a) Fifty-five (55) years for rental units. However, the City Agency or County Agency may replace rental units with equally affordable and comparable rental units in another location within the community if (1) the replacement units are available for occupancy prior to the displacement of any persons and families of low or moderate-income residing in the units to be replaced and (2) the comparable replacement units are not developed with monies from the respective Housing Fund.
- b) Forty-five (45) years for owner-occupied units. However, the City Agency and County Agency may permit sales of owner-occupied units prior to the expiration of the 45-year period for a price in excess of that which is otherwise permitted under this subdivision pursuant to an adopted program which protects the City Agency's and County Agency's investment of monies from the respective Housing Fund, including, but not limited to, an equity sharing program which establishes a schedule of equity sharing that permits retention by the seller of a portion of those excess proceeds based on the length of occupancy. The remainder of the excess proceeds of the sale shall be allocated to the City Agency and County Agency and deposited in its respective Housing Fund. Only the units originally assisted by the City Agency or County shall be counted towards the City Agency or County Agency's respective obligations under Section 33413. If land on which those dwelling units are located is deleted from the Project Area, the City Agency or County Agency shall continue to require that those units remain affordable as specified in this subdivision.

IV. [§400] Uses Permitted in the Project Area

[§401] City and County Land Use Map

The "City Land Use Map," attached hereto as Exhibit C and the "County Land Use Map," attached hereto as Exhibit D, both incorporated herein by reference, illustrates the location of the Project Area boundaries, major streets within the Project Area and the proposed land uses to be permitted in the Project for all land—public, semi-public, and private.

[§402] Designated Land Uses

[§403] General

The areas shown on the City and County Land Use Maps (Exhibits C and D, respectively) shall be used as set forth and described in the General Plan of the Participating Jurisdictions in which the property is located and remain consistent with the respective General Plan of the Participating Jurisdictions as they are amended.

[§404] City Land Uses

The areas shown on the City Land Use Map (Exhibit C) shall be used for as set forth and described in the General Plan of the City in which the property is located. The uses are:

1. General Commercial
2. Business Park
3. Industrial Park
4. Limited Manufacturing
5. Public/Quasi Public

[§405] County Land Uses

The areas shown on the County Land Use Map (Exhibit D) shall be used for as set forth and described in the General Plan of the County in which the property is located. The uses are:

1. Service Commercial (CS)
2. Single Residential (RS)
3. Residential, max. 10,000 sq. ft/unit (RS-10m)
4. Residential, max. 20,000 sq. ft/unit (RS-20m)
5. General Commercial (CG)
6. Neighborhood Commercial (CN)
7. Community Industrial (IC)

[§406] Other Land Uses

[§407] Public Rights-of Way

As illustrated on the Project Area Map (Exhibit B), the major public streets within the Project Area include east-west streets of State Street and Mission Boulevard

and north-south streets of Benson Avenue, Central Avenue, Ramona Avenue, and Roswell Avenue.

Additional public streets, alleys, and easements may be created in the Project Area as needed for proper development. Existing streets, alleys and easements may be abandoned, closed, or modified as necessary for proper development of the Project.

Any changes in the existing interior or exterior street layout shall be in accordance with the General Plans of the Participating Jurisdictions, the objectives of this Plan and the design standards of the Participating Jurisdictions, shall be effectuated in the manner prescribed by state and local law and shall be guided by the following criteria:

1. A balancing of the needs of proposed and potential new developments for adequate pedestrian and vehicular access, vehicular parking, and delivery loading docks with the similar needs of any existing developments permitted to remain. Such balancing shall take into consideration the rights of existing owners and tenants under the rules for owner and tenant participation adopted by the City Agency or County Agency for the Project and any owner participation agreements executed hereunder;
2. The requirements imposed by such factors as topography, traffic safety, and aesthetics; and
3. The potential need to serve not only the Project Area and new or existing developments but to also serve areas outside the Project by providing convenient and efficient vehicular access and movement.

The public rights-of-way may be used for vehicular, bicycle, and/or pedestrian traffic, as well as for public improvements, public and private utilities and activities typically found in public rights-of-way. Streetscape improvements may include the location and planting of street trees, medians, and other landscaping, the location and placement of street furniture, bus stops, signage, and improved pedestrian walkways.

[§408] Other Public, Semi-Public, Institutional and Nonprofit Uses

In any area shown on the Redevelopment Land Use Map (Exhibit B and C for the City and the County Land Use Map respectively), the Agencies are authorized to permit the maintenance, establishment or enlargement of public, semi-public, institutional or nonprofit uses, including park and recreational facilities, libraries, educational, fraternal, employee, philanthropic, religious and charitable institutions, utilities, railroad rights-of-way and facilities of other similar associations or organizations. All such uses shall, to the extent possible, conform to the provisions of this Plan applicable to the uses in the specific area involved, and provided such use conforms to the General Plan, Development Code or Zoning Regulations of the applicable Participating Jurisdictions. The Agencies

may impose such other reasonable requirements and/or restrictions as may be necessary to protect the development and use of the Project Area.

[§409] Interim Uses

Pending the ultimate development of land by developers and participants, the Agencies are authorized to use or permit the use of any land in the Project Area for interim uses that are not in conformity with the uses permitted in this Plan, provided such use conforms to the General Plan, Development Code or Zoning Regulations of the applicable Participating Jurisdictions.

[§410] Nonconforming Uses

The Agencies may permit an existing use to remain in an existing building in good condition which use does not conform to the provisions of this Plan, provided that such use is generally compatible with existing and proposed developments and uses in the Project Area, provided such use conforms to the General Plan, Development Code or Zoning Regulations of the applicable Participating Jurisdictions. The owner of such a property must be willing to enter into an owner participation agreement and agree to the imposition of such reasonable restrictions as may be necessary to protect the development and use of the Project Area.

The Agencies may authorize additions, alterations, repairs or other improvements in the Project Area for uses which do not conform to the provisions of this Plan where such improvements are within a portion of the Project where, in the determination of the Agencies, such improvements would be compatible with surrounding Project uses and development, provided such use conforms to the General Plan, Development Code or Zoning Regulations of the applicable Participating Jurisdictions.

[§411] General Controls and Limitations

All real property in the Project Area is made subject to the controls and requirements of this Plan and provided such use conforms to the General Plan, development code or zoning regulations of the applicable Participating Jurisdictions. No real property shall be developed, rehabilitated, or otherwise changed after the date of the adoption of this Plan, except in conformance with the provisions of this Plan.

[§412] Construction

All construction in the Project Area shall comply with all applicable State and applicable Participating Jurisdictions' ordinances and codes in effect from time to time. In addition to applicable ordinances, codes, or other requirements governing development in the Project Area, the Agencies, to control and direct redevelopment activities in the Project Area, may adopt additional specific performance and development standards.

[§413] Rehabilitation and Retention of Properties

Any existing structure within the Project Area approved by the Agencies for retention and rehabilitation shall be repaired, altered, reconstructed or rehabilitated in such a manner that it will be safe and sound in all physical respects and be attractive in appearance and not detrimental to the surrounding uses, provided such use conforms to the General Plan, development code or zoning regulations of the applicable Participating Jurisdictions.

[§414] Limitation on the Number of Buildings

The number of buildings in the Project Area shall not exceed the number of buildings permitted under the General Plans of the Participating Jurisdictions.

[§415] Number of Dwelling Units

The number of dwelling units in the Project Area shall not exceed the number of dwelling units permitted under the General Plans of the Participating Jurisdictions.

[§416] Limitation on Type, Size and Height of Buildings

Except as set forth in other sections of this Plan, the type, size, and height of buildings shall be as limited by applicable federal, State, and Participating Jurisdictions ordinances, codes and regulations.

[§417] Open Spaces, Landscaping, Light, Air and Privacy

The approximate amount of open space to be provided in the Project Area is the total of all areas which will be in the public rights-of-way, the public ground, the space around buildings and all other outdoor areas not permitted to be covered by buildings and as provided by applicable federal, State, and Participating Jurisdictions ordinances, codes, and regulations. Landscaping shall be developed in the Project Area to ensure optimum use of living plant material.

Sufficient space shall be maintained between buildings in all areas to provide adequate light, air, and privacy.

[§418] Signs

All signs shall conform to sign ordinances of the Participating Jurisdictions as they now exist or are hereafter amended. Design of all proposed new signs shall be submitted to the Participating Jurisdictions prior to installation for review and approval pursuant to the procedures of this Plan.

[§419] Utilities

The Agencies shall require that all utilities be placed underground whenever physically and economically feasible.

[§420] Incompatible Uses

No new use or structure which by reason of appearance, traffic, smoke, glare, noise, odor or similar factors would be incompatible with the surrounding areas or structures shall be permitted in any part of the Project Area and as provided for by the Agencies.

[§421] Subdivision of Parcels

No parcel in the Project Area, including any parcel retained by a participant, shall be subdivided without the approval of the Agencies.

[§422] Minor Variations

Under exceptional circumstances, the Agencies are authorized to permit a variation from the limits, restrictions, and controls established by this Plan. In order to permit such variation, the Agencies must determine that:

1. The application of certain provisions of this Plan would result in practical difficulties or unnecessary hardships inconsistent with the general purpose and intent of this Plan;
2. There are exceptional circumstances or conditions applicable to the property or to the intended development of the property which do not apply generally to other properties having the same standards, restrictions and controls;
3. Permitting a variation will not be materially detrimental to the public welfare or injurious to property or improvements in the area; and
4. Permitting a variation will not be contrary to the objectives of this Plan or of the General Plans, development codes, and zoning of the Participating Jurisdictions.

No variation shall be granted which changes a basic land use or which permits other than a minor departure from the provisions of this Plan. In permitting any such variation, the Agencies shall impose such conditions as are necessary to protect the public peace, health, safety, or welfare and to assure compliance with the purposes of this Plan. Any variation permitted by the Agencies hereunder shall not supersede any other approval required under existing codes and ordinances of the Participating Jurisdictions.

[§423] Design for Development

Within the limits, restrictions, and controls established in this Plan and by the Participating Jurisdictions, the Agencies are authorized to establish heights of buildings, land coverage, setback requirements, design criteria, traffic circulation, traffic access and other development and design controls necessary for property development of both private and public areas within the Project Area.

No new improvement shall be constructed, and no existing improvement shall be substantially modified, altered, repaired or rehabilitated except in accordance with this Plan and any such controls and, in the case of property which is the subject of a disposition and development or participation agreement with the City Agency or County Agency and any other property, in the discretion of the City Agency or County Agency, in accordance with architectural, landscape and site plans submitted to and approved in writing by the City Agency or County Agency. One of the objectives of this Plan is to create an attractive and pleasant environment in the Project Area. Therefore, such plans shall give consideration to good design, open space, and other amenities to enhance the aesthetic quality of the Project Area. The City Agency and County Agency shall not approve any plans that do not comply with this Plan or conflict with the Participating Jurisdictions ordinances, codes, or regulations.

[§424] Building Permits

No permit shall be issued for the construction of any new building or for any construction on an existing building in the Project Area from the date of adoption of this Plan until the application for such permit has been made and processed in a manner consistent with all requirements of the Participating Jurisdictions.

The Agencies are authorized to establish permit procedures and approvals in addition to those set forth above where required for the purposes of this Plan. Where such additional procedures and approvals are established, a building permit shall be issued only after the applicant for it has been granted all approvals required by the Agencies at the time of application.

[§500] Methods of Financing the Project

[§501] General Description of the Proposed Financing Method

The Agencies are authorized to finance this Project with financial assistance from the Participating Jurisdictions, State, federal government, tax increment funds, interest income, bonds, donations, loans from private financial institutions, the lease or sale of City Agency-owned or County Agency-owned property or any other available source, public or private.

The Agencies are also authorized to obtain advances, borrow funds, and create indebtedness in carrying out this Plan. The principal and interest on such advances, borrow funds, and indebtedness may be paid from tax increment or any other funds available to the Agencies. Advances and loans for survey and planning and for the operating capital for nominal administration of this Project may be provided by the Participating Jurisdictions until adequate tax increment or other funds are available, or sufficiently assured, to repay the advances and loans and to permit borrowing adequate working capital from sources other than the Participating Jurisdictions. The Participating Jurisdictions, as they are able, may also supply additional assistance through Participating Jurisdiction loans and grants for various public facilities.

The Participating Jurisdictions or any other public agency may expend money to carry out this Project. As available, gas tax funds from the State, County, and City may be used for street improvements and public transit facilities.

The City and the City Agency has committed \$36 million to be used for public infrastructure improvement projects in the Project Area from Gas Tax, Measure I, Traffic Congestion Relief Act funds, and other redevelopment project funds. However, most of these funds are subject to annual appropriations of the California State Budget because these are multi-year funded projects.

[§502] Tax Increment Funds

Pursuant to Section 33670 of the CRL, all taxes levied upon taxable property within the Project Area each year, by or for the benefit of the State, the County, the City, and any district or any other public corporation (hereinafter sometimes called "taxing agencies") after the effective date of the last ordinance approving this Plan, shall be divided as follows:

1. That portion of the taxes which would be produced by the rate upon which the tax is levied each year by or for each of said taxing agencies upon the total sum of the assessed value of the taxable property in the Project Area as shown upon the assessment roll used in connection with the taxation of that property by the taxing agency, last equalized prior to the effective date of the last ordinance adopting this Plan, shall be allocated to and when collected shall be paid into the funds of the respective taxing agencies as taxes by or for said taxing agencies on all other property are paid (for the purpose of allocating taxes levied by or for any taxing agency or agencies which did not include the territory of the Project on the effective date of such ordinance but to which such territory is annexed or otherwise included after such effective date, the assessment roll of the County of San Bernardino last equalized on the effective date of the ordinance adopting this Plan shall be used in determining the assessed valuation of the taxable property in the Project Area on said effective date); and
2. That portion of said levied taxes each year in excess of such amount shall be allocated to and when collected shall be paid into a special fund of the Agencies to pay the principal of and interest on bonds, loans, moneys advanced to or indebtedness (whether funded, refunded, assumed or otherwise) incurred by the Agencies to finance or refinance, in whole or in part, this Project. Unless and until the total assessed valuation of the taxable property in the Project exceeds the total assessed value of the taxable property in the Project, as shown by the last equalized assessment roll referred to in Subdivision 1 hereof, all of the taxes levied and collected upon the taxable property in the Project shall be paid into the funds of the respective taxing agencies. When said loans, advances and indebtedness, if any, and interest thereon, have been paid, all monies thereafter received from taxes upon the taxable property in the Project

shall be paid into the funds of the respective taxing agencies as taxes on all other property are paid.

That portion of taxes mentioned in Subdivision 2 above is hereby irrevocably pledged for the payment of the principal of and interest on the advance of monies, or making of loans or the incurring of any indebtedness (whether funded, refunded, assumed or otherwise) by the Agencies to finance or refinance the Project, in whole or in part. The Agencies are authorized to make such pledges as to specific advances, loans, and indebtedness appropriate in carrying out the Project.

The Agencies are authorized to issue bonds from time to time, if it deems appropriate to do so, in order to finance all or part of the Project. Neither the members of the Agencies or the other Participating Jurisdictions, nor any persons executing the bonds are liable personally on the bonds, by reason of their issuance.

The bonds and other obligations of the Agencies are not a debt of the City, the County or the State, nor are any of its political subdivisions liable for them, nor in any event shall the bonds or obligations be payable out of any funds or properties other than those of the Agencies, and such bonds and other obligations shall so state on their face. The bonds do not constitute indebtedness within the meaning of any constitutional or statutory debt limitation or restriction.

After the effective date of this Plan, the amount of bonded indebtedness to be repaid in whole or in part from the allocation of taxes described in Subdivision 2 above which can be outstanding at any one time shall not exceed \$15,000,000 in principal amount, except by amendment to this Plan.

After the effective date of this Plan, the Participating Jurisdictions shall not establish or incur loans, advances, or indebtedness to finance in whole or in part the Project beyond twenty (20) years from the effective date of the last of the ordinances adopting this Plan. Loans, advances, or indebtedness may be repaid over a period of time beyond said time limit. Such time limitation may be extended by amendment of this Plan pursuant to Section 33333.2(a)(1)(B) of the CRL. This limit, however, shall not prevent the City Agency or County Agency from incurring debt to be repaid from their respective Low and Moderate Income Housing Fund established pursuant to Section 33334.3 of the CRL and Section 331 of this Plan, or establishing more debt in order to fulfill the City Agency's or County Agency's housing obligations under Section 33413 of the CRL and Section 330, 332, and 333 of this Plan. This limit shall not prevent the Agencies from refinancing, refunding or restructuring indebtedness after the time limit if the indebtedness is not increased and the time during which the indebtedness is to be repaid is not extended beyond the time limit for repaying indebtedness set forth in this Section 502.

The Participating Jurisdictions shall not receive, and shall not repay loans, advances, or other indebtedness to be paid with the proceeds of property taxes from the Project Area pursuant to Section 33670 of CRL and Section 502 of this

Plan beyond forty-five (45) years from the effective date of the last of the ordinances adopting this Plan.

[§503] Other Loans and Grants

Any other loans, grants, guarantees, or financial assistance from the United States, the State, or any other public or private source will be utilized if available.

[§600] Actions by the Participating Jurisdictions

The Participating Jurisdictions shall take all actions necessary to ensure the continued fulfillment of the purposes of this Plan and to prevent the recurrence or spread in the area of conditions causing blight. Actions by the Participating Jurisdictions shall include, but not be limited to, the following:

1. Institution and completion of proceedings for opening, closing, vacating, widening or changing the grades of streets, alleys and other public rights-of-way and for other necessary modifications of the streets, the street layout and other public rights-of-way in the Project Area. Such action by the Participating Jurisdictions shall include the requirement of abandonment, removal and relocation by the public utility companies of their operations of public rights-of-way as appropriate to carry out this Plan, provided that nothing in this Plan shall be construed to require the cost of such abandonment, removal and relocation to be borne by others than those legally required to bear such cost.
2. Institution and completion of proceedings necessary for changes and improvements in private and publicly owned public utilities within or affecting the Project Area.
3. Revision of zoning (if necessary) within the Project Area to permit the land uses and development authorized by this Plan.
4. Imposition wherever necessary (by conditional use permits or other means) of appropriate controls within the limits of this Plan upon parcels in the Project Area to ensure their proper development and use.
5. Provision for administrative enforcement of this Plan by the Participating Jurisdictions after redevelopment. The Participating Jurisdictions shall develop and provide for enforcement of a program for continued maintenance by owners of all real property, both public and private, within the Project Area throughout the duration of this Plan.
6. Preservation of historical sites.
7. Performance of the above actions and of all other functions and services relating to public peace, health, safety and physical development normally rendered in accordance with a schedule which will permit the

redevelopment of the Project Area to be commenced and carried to completion without unnecessary delays.

8. Processing of requests for eminent domain without undue delay.
9. The undertaking and completing of any other proceedings necessary to carry out the Project.

The foregoing actions to be taken by the Participating Jurisdictions do not involve or constitute any commitment for financial outlays by the Participating Jurisdictions. However, in order to further activities and projects, any member of the Participating Jurisdictions may choose to jointly fund projects and activities.

[\$700] Enforcement

The administration and enforcement of this Plan, including the preparation and execution of any documents implementing this Plan, shall be performed by the City Agency and the County Agency. The provisions of this Plan or other documents entered into pursuant to this Plan may also be enforced by court litigation instituted by the City Agency, County Agency, or the Participating Jurisdictions. Such remedies may include, but are not limited to, specific performance, damages, reentry, injunctions, or any other remedies appropriate to the purposes of this Plan. In addition, such owners may enforce any recorded provisions, which are expressly for the benefit of owners of property in the Project Area.

[\$800] Duration of this Plan

Except for the nondiscrimination and nonsegregation provisions which shall run in perpetuity, the provisions of this Plan shall be effective, and the provisions of other documents formulated pursuant to this Plan may be made effective, for thirty (30) years from the effective date of the last of the ordinances adopting this Plan by the Legislative Bodies of the Participating Jurisdictions; provided however, that, subject to the limitations set forth in Section 502 of this Plan, the Agencies may issue bonds and incur obligations pursuant to this Plan which extend beyond the termination date, and in such event, this Plan shall continue in effect to the extent necessary to permit the full repayment of such bonds or other obligations. After the termination of this Plan, the Agencies shall have no authority to act pursuant to this Plan except to pay previously incurred indebtedness and to enforce existing covenants or contracts, unless the Agencies have not completed their housing obligations pursuant to Section 33413 of the CRL, in which case the City Agency and County Agency shall retain their authority to implement requirements under and pay indebtedness for this purpose, and shall use this authority to complete such housing obligations as soon as is reasonably possible.

[§900] Procedure for Amendment

This Plan may be amended by both the City and the County by means of the procedure established in Sections 33354.6 and/or 33450-33458 of the CRL or by any other procedure hereafter established by State Law.

[§1000] Severability

If any provision, section, subsection, subdivision, sentence, clause, or phase of this Plan is for any reason held to be invalid, unenforceable, or unconstitutional, such decision shall not affect the validity and effectiveness of the remaining portion or portions of the Plan. In event that any portion of the Project Area shall be determined to have been invalidly or incorrectly included in the Project Area that is the subject of this Plan, such portion of the Project Area shall be deemed severable from the remainder of the Project Area.

[§1100] Authority of the Agency

To the extent legally permissible, the Agency is hereby authorized to undertake any redevelopment activity or exercise any power not already included herein, provided such action is not inconsistent with this Plan.

EXHIBIT A

PROJECT AREA BOUNDARIES LEGAL DESCRIPTION

**CITY OF MONTCLAIR REDEVELOPMENT AGENCY
REDEVELOPMENT AGENCY OF THE COUNTY OF SAN BERNARDINO**

MISSION BOULEVARD JOINT REDEVELOPMENT PROJECT AREA

DESCRIPTION:

ALL THAT CERTAIN LAND SITUATED IN THE CITY OF MONTCLAIR AND PORTIONS IN UNINCORPORATED TERRITORY OF SAN BERNARDINO COUNTY LYING OVER PORTIONS OF THE MONTE VISTA TRACT NO. 2, RECORDED IN BOOK 16, PAGES 33 AND 34 AND OVER PORTIONS OF THE SAN ANTONIO TRACT RECORDED IN BOOK 3, PAGE 16, BOTH TRACTS PER MAP RECORDS OF SAN BERNARDINO COUNTY AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

SUB-AREA NO. 1:

BEGINNING AT THE INTERSECTION OF THE CENTERLINE OF STATE STREET WITH THE BOUNDARY LINE BETWEEN LOS ANGELES AND SAN BERNARDINO COUNTIES AS SAID INTERSECTION IS DESCRIBED IN THE CITY OF MONTCLAIR EXISTING REDEVELOPMENT PROJECT AREA V, SUB-AREA A; THENCE ALONG SAID EXISTING BOUNDARY OF SUB-AREA A THE FOLLOWING SIXTEEN (16) COURSES:

- (1) EASTERLY ALONG SAID CENTERLINE OF STATE STREET, N88°18'00"E, 504.80 FEET TO THE CENTERLINE OF KADOTA AVENUE;
- (2) THENCE SOUTHERLY ALONG SAID CENTERLINE OF KADOTA AVENUE, S00°46'35"E, 1295.22 FEET TO THE CENTERLINE OF MISSION BOULEVARD;
- (3) THENCE EASTERLY N89°53'56"E, 636.46 FEET ALONG SAID CENTERLINE OF MISSION BOULEVARD TO THE INTERSECTION WITH THE SOUTHERLY PROLONGATION OF THE CENTERLINE OF THAT UNNAMED ROAD SHOWN AS "VACATED JULY 27, 1927, ROAD BOOK "F", PAGE 220 ON THE RECORD OF SURVEY FILED IN BOOK 3, PAGE 20 OF RECORD OF SURVEYS IN THE OFFICE OF THE COUNTY RECORDER OF SAN BERNARDINO COUNTY;
- (4) THENCE NORTHERLY N00°57'05"W, 1321.34 FEET ALONG SAID LAST MENTIONED CENTERLINE OF THAT UNNAMED ROAD AND ALONG THE NORTHERLY PROLONGATION THEREOF TO THE INTERSECTION WITH THE CENTERLINE OF STATE STREET;

- (5) THENCE EASTERLY N88°41'02"E, 1303.21 FEET ALONG SAID CENTERLINE OF STATE STREET TO THE INTERSECTION OF THE NORTHERLY PROLONGATION OF THE WESTERLY LINE OF LOT 17, BLOCK "A" OF THE AMENDED MAP OF THE POMONA GRANDE TRACT, RECORDED IN BOOK 19, PAGE 11 OF MAPS, RECORDS OF SAID COUNTY;
- (6) THENCE SOUTHERLY S00°54'28"E, 230.00 FEET ALONG SAID WESTERLY LINE AND NORTHERLY PROLONGATION OF SAID LOT 17 TO THE INTERSECTION WITH THE SOUTH LINE OF THE NORTH 200.00 FEET OF THE NORTH HALF OF SAID LOT 17;
- (7) THENCE EASTERLY N88°41'02"E, 105.00 FEET ALONG SAID SOUTH LINE OF THE NORTH 200.00 FEET OF THE NORTH HALF OF SAID LOT 17 TO THE INTERSECTION WITH THE WEST LINE OF THE EAST 60.00 FEET OF THE NORTH HALF OF SAID LOT 17;
- (8) THENCE NORTHERLY N00°54'28"W, 230.00 FEET ALONG SAID WEST LINE AND ITS NORTHERLY PROLONGATION TO THE CENTERLINE OF STATE STREET;
- (9) THENCE EASTERLY N88°41'02"E, 140.00 FEET ALONG SAID CENTERLINE OF STATE STREET TO THE INTERSECTION WITH THE NORTHERLY PROLONGATION OF THE WEST LINE OF THE EASTERLY 85.00 FEET OF LOT 18 OF SAID BLOCK "A";
- (10) THENCE SOUTHERLY S00°54'28"E, 360.18 FEET ALONG SAID WEST LINE AND NORTHERLY PROLONGATION TO THE SOUTH LINE OF THE NORTH HALF OF SAID LOT 18;
- (11) THENCE EASTERLY S89°38'32"E, 2.50 FEET ALONG SAID SOUTH LINE OF THE NORTH HALF OF SAID LOT 18 TO THE WEST LINE OF THE EAST HALF OF SAID LOT 18;
- (12) THENCE SOUTHERLY S00°54'28"E, 310.16 FEET ALONG SAID WEST LINE TO THE INTERSECTION WITH THE NORTH LINE OF LOT A OF BLOCK "A";
- (13) THENCE WESTERLY N89°38'32"W, 247.50 FEET ALONG SAID NORTH LINE OF LOT "A" TO THE INTERSECTION WITH THE NORTHERLY PROLONGATION OF THE EAST LINE OF LOT 6 OF SAID BLOCK "A";
- (14) THENCE SOUTHERLY S00°54'28"E, 725.00 FEET ALONG SAID EAST LINE AND NORTHERLY PROLONGATION TO THE CENTERLINE OF MISSION BOULEVARD;
- (15) THENCE WESTERLY N89°37'48"W, 720.82 FEET ALONG SAID CENTERLINE OF MISSION BOULEVARD TO THE NORTHERLY PROLONGATION OF THE EASTERLY LINE OF THE WEST HALF OF LOT 4 OF BLOCK "B" OF SAID AMENDED MAP OF THE POMONA GRANDE TRACT;
- (16) THENCE SOUTHERLY S00°58'41"E, 688.00 FEET ALONG SAID EASTERLY LINE OF THE WEST HALF OF LOT 4 TO THE INTERSECTION WITH THE NORTH LINE OF TRACT NO. 10112, RECORDED IN BOOK 155, PAGES 50 AND 51 OF MAPS, RECORDS OF SAN BERNARDINO COUNTY;

(17) THENCE WESTERLY N89°37'48"W, 618.72 FEET ALONG SAID NORTH LINE OF TRACT NO. 10112 AND ITS WESTERLY PROLONGATION TO THE INTERSECTION WITH THE WEST LINE OF PIPELINE AVENUE AS SAID STREET IS SHOWN ON A MAP OF THE "POMONA HOME ACRES" SUBDIVISION RECORDED IN BOOK 25, PAGE 1 OF MAPS, RECORDS OF SAID COUNTY;

(18) THENCE NORTHERLY N00°36'27"W, 420.51 FEET ALONG SAID WEST LINE OF PIPELINE AVENUE TO THE INTERSECTION OF THE NORTH LINE OF LOTS 2, 56, 62, 96 AND 103 OF SAID "POMONA HOME ACRES" SUBDIVISION;

(19) THENCE WESTERLY S89°53'56"W, 1550.79 FEET ALONG SAID NORTH LINE TO THE INTERSECTION OF THE WESTERLY LINE OF PARCEL 2 OF PARCEL MAP NO. 2281 AS FILED IN BOOK 21, PAGE 7 OF PARCEL MAPS, RECORDS OF SAID COUNTY;

(20) THENCE NORTHERLY N18°48'20"E, 278.39 FEET ALONG SAID WESTERLY LINE OF SAID PARCEL 2 AND ITS NORTHERLY PROLONGATION TO ITS INTERSECTION WITH THE CENTERLINE OF MISSION BOULEVARD;

(21) THENCE WESTERLY S76°22'00"W, 98.03 FEET ALONG SAID CENTERLINE OF MISSION BOULEVARD TO ITS INTERSECTION WITH THE PREVIOUSLY MENTIONED BOUNDARY LINE BETWEEN LOS ANGELES AND SAN BERNARDINO COUNTIES;

(22) THENCE NORTHERLY N16°44'10"E, 1370.74 FEET ALONG SAID BOUNDARY TO THE POINT OF BEGINNING.

SUB-AREA NO. 2:

BEGINNING AT THE INTERSECTION OF THE CENTERLINE OF MONTE VISTA AVENUE WITH THE CENTERLINE OF STATE STREET, SAID CENTERLINE ALSO BEING A PART OF THE BOUNDARY OF CITY OF MONTCLAIR EXISTING REDEVELOPMENT PROJECT AREA IV; THENCE ALONG SAID EXISTING BOUNDARY THE FOLLOWING FOUR (4) COURSES:

(1) EASTERLY N89°26'00"E, 1654.01 FEET ALONG THE CENTERLINE OF SAID STATE STREET TO ITS INTERSECTION WITH THE NORTHERLY PROLONGATION OF THE WEST LINE OF LOT 3 OF TRACT NO. 2241 RECORDED IN BOOK 32, PAGES 11 AND 12 OF MAPS, RECORDS OF SAID COUNTY;

(2) THENCE SOUTHERLY S00°48'14"E, 1441.80 FEET ALONG SAID NORTHERLY PROLONGATION AND WEST LINE OF SAID LOT 3 TO THE INTERSECTION WITH THE CENTERLINE OF MISSION BOULEVARD;

(3) THENCE WESTERLY S89°44'55"W, 331.64 FEET ALONG SAID CENTERLINE OF MISSION BOULEVARD TO ITS INTERSECTION WITH THE CENTERLINE OF FREEMONT AVENUE;

(4) THENCE SOUTHERLY S00°43'15"E, 987.65 FEET ALONG SAID CENTERLINE OF FREEMONT AVENUE TO ITS INTERSECTION WITH THE EASTERLY PROLONGATION OF THE SOUTH LINE OF LOT 6 IN BLOCK 22 OF THE MONTE VISTA TRACT NO. 2 RECORDED IN BOOK 16, PAGES 33 AND 34 OF MAPS, RECORDS OF SAID COUNTY;

(5) THENCE WESTERLY S89°44'28"W, 658.82 FEET ALONG SAID EASTERLY PROLONGATION AND SOUTH LINE OF SAID LOT 6 TO THE WESTERLY LINE OF SAID LOT 6;

(6) THENCE NORTHERLY N00°42'20"W, 328.94 FEET ALONG SAID WESTERLY LINE OF SAID LOT 6 TO THE SOUTH LINE OF LOT 2 IN SAID BLOCK 22;

(7) THENCE WESTERLY S89°45'25"W, 329.20 FEET ALONG SAID SOUTH LINE OF SAID LOT 2 TO THE SOUTHERLY PROLONGATION OF THE EAST LINE OF TRACT NO. 3430 RECORDED IN BOOK 45, PAGE 13 OF MAPS, RECORDS OF SAID COUNTY;

(8) THENCE NORTHERLY N00°42'20"W, 458.22 FEET ALONG SAID PROLONGATION AND EAST LINE OF SAID TRACT NO. 3430 TO THE NORTH LINE OF SAID TRACT NO. 3430;

(9) THENCE WESTERLY S89°45'05"W, 329.01 FEET ALONG SAID NORTH LINE OF SAID TRACT NO. 3430 AND ITS WESTERLY PROLONGATION TO THE INTERSECTION WITH THE CENTERLINE OF MONTE VISTA AVENUE, SAID CENTERLINE OF MONTE VISTA AVENUE ALSO BEING THE BOUNDARY OF CITY OF MONTCLAIR EXISTING REDEVELOPMENT PROJECT AREA V SUB-AREA "A"; THENCE THE FOLLOWING FOUR (4) COURSES WILL FOLLOW SAID EXISTING BOUNDARY;

(10) NORTHERLY N00°45'25"W, 200.00 FEET ALONG SAID CENTERLINE OF MONTE VISTA AVENUE TO ITS INTERSECTION WITH THE CENTERLINE OF MISSION BOULEVARD;

(11) THENCE WESTERLY S89°37'32"W, 3305.83 FEET ALONG SAID CENTERLINE OF MISSION BOULEVARD TO THE SOUTHERLY PROLONGATION OF THE EASTERLY LINE OF BLOCK "A" OF THE AMENDED MAP OF THE POMONA GRANDE TRACT RECORDED IN BOOK 19, PAGE 11 OF MAPS, RECORDS OF SAID COUNTY;

(12) THENCE NORTHERLY N00°54'28"W, 1360.40 FEET ALONG SAID SOUTHERLY PROLONGATION AND EASTERLY LINE OF BLOCK "A" AND ITS NORTHERLY PROLONGATION TO THE CENTERLINE OF STATE STREET;

(13) THENCE EASTERLY N89°33'18"E, 3305.97 FEET ALONG SAID CENTERLINE OF STATE STREET TO THE POINT OF BEGINNING.

SUB-AREA NO. 3:

BEGINNING AT A POINT AT THE INTERSECTION OF THE CENTERLINE OF ADA AVENUE (FORMERLY VINE AVENUE) AND THE CENTERLINE OF STATE STREET AS SHOWN ON MONTE VISTA TRACT NO. 2 AS PER MAP RECORDED IN BOOK 16, PAGES 33 AND 34 OF MAPS, RECORDS OF SAID COUNTY;

(1) THENCE EASTERLY N89°27'05"E, 2964.69 FEET ALONG SAID CENTERLINE OF STATE STREET TO ITS INTERSECTION WITH THE CENTERLINE OF BENSON AVENUE AS SHOWN ON SAID MONTE VISTA TRACT NO. 2;

(2) THENCE SOUTHERLY S00°41'09"E, 1796.64 FEET ALONG SAID CENTERLINE OF BENSON AVENUE TO A POINT ON THE EASTERLY PROLONGATION OF THE NORTH LINE OF THE SOUTH 314.00 FEET OF LOTS 3 AND 4 IN BLOCK 19 OF SAID MONTE VISTA TRACT NO. 2;

(3) THENCE ALONG SAID EASTERLY PROLONGATION AND NORTH LINE S89°35'40"W, 652.05 FEET TO THE EASTERLY LINE OF LOT 2 IN BLOCK 19 OF SAID MONTE VISTA TRACT NO. 2;

(4) THENCE ALONG SAID EASTERLY LINE OF LOT 2 S00°41'37"E, 314.00 FEET TO THE NORTH LINE OF LOT 19 OF TRACT NO. 9055 AS PER MAP RECORDED IN BOOK 126, PAGES 63 AND 64 OF MAPS, RECORDS OF SAID COUNTY;

(5) THENCE ALONG SAID NORTH LINE OF LOT 19 AND ITS WESTERLY PROLONGATION, S89°35'40"W, 336.00 FEET TO THE MOST SOUTHEASTERLY CORNER OF LOT 6 OF SAID TRACT NO. 9055;

(6) THENCE NORTHERLY N00°41'45"W, 459.09 FEET ALONG THE EASTERLY LINE OF SAID LOT 6 AND ITS NORTHERLY PROLONGATION TO THE NORTHEASTERLY CORNER OF LOT 3 OF SAID TRACT NO. 9055;

(7) THENCE WESTERLY S89°36'06"W, 282.82 FEET ALONG THE NORTHERLY LINE OF SAID LOT 3 AND ITS WESTERLY PROLONGATION TO A POINT ON THE EASTERLY RIGHT-OF-WAY LINE OF VERNON AVENUE AS SHOWN ON SAID TRACT NO. 9055;

(8) THENCE SOUTHERLY S00°45'49"E, 788.45 FEET ALONG SAID EASTERLY RIGHT-OF-WAY LINE TO A POINT OF THE EASTERLY PROLONGATION OF THE NORTHERLY LINE OF LOT 8 OF BLOCK 20 OF SAID MONTE VISTA TRACT NO. 2;

(9) THENCE WESTERLY S89°38'36"W, 1033.11 FEET ALONG SAID EASTERLY PROLONGATION AND NORTHERLY LINE AND ITS WESTERLY PROLONGATION TO A POINT ON A LINE BEING PARALLEL WITH AND 124.55 FEET WEST OF THE WESTERLY LINE OF PARCEL 1 OF PARCEL MAP NO. 1089 AS PER MAP RECORDED IN BOOK 11, PAGE 77 OF PARCEL MAPS, RECORDS OF SAID COUNTY;

(10) THENCE SOUTHERLY S00°45'23"E, 349.02 FEET ALONG SAID PARALLEL LINE AND ITS SOUTHERLY PROLONGATION TO A POINT ON THE SOUTHERLY RIGHT-OF-WAY LINE OF HOWARD STREET AS SHOWN ON SAID MONTE VISTA TRACT NO. 2;

(11) THENCE WESTERLY S89°40'46"W, 284.39 FEET ALONG SAID SOUTHERLY RIGHT-OF-WAY LINE OF HOWARD STREET TO THE INTERSECTION OF THE CENTERLINE OF CENTRAL AVENUE AS SHOWN ON SAID MONTE VISTA TRACT NO. 2;

(12) THENCE NORTHERLY N00°45'23"W, 1336.99 FEET ALONG SAID CENTERLINE OF CENTRAL AVENUE TO THE INTERSECTION OF THE CENTERLINE OF MISSION BOULEVARD (FORMERLY FIFTH STREET) AS SHOWN ON SAID MONTE VISTA TRACT NO. 2;

(13) THENCE WESTERLY S89°38'52"W, 339.05 FEET ALONG SAID CENTERLINE OF MISSION BOULEVARD TO THE INTERSECTION OF THE CENTERLINE OF SAID ADA STREET AS SHOWN ON SAID MONTE VISTA TRACT NO. 2;

(14) THENCE NORTHERLY N00°48'46"W, 1443.47 FEET ALONG SAID CENTERLINE OF ADA STREET TO THE POINT OF BEGINNING.

PREPARED UNDER THE SUPERVISION OF:

[ORIGINAL SIGNED 1-24-2002]

HENRY T. SOAPER II

DATE

L.S. #4933

EXPIRES 12/31/04

Doc:legal/20104



City of Montclair and County of San Bernardino Proposed Mission Boulevard Joint Redevelopment Project Area



Exhibit B: Project Area Map

0.2 0 0.2 0.4 Miles

Legend

- Project Area Boundary
- City Boundary



Rosenow Spevacek Group, Inc.

March 2003



City of Montclair and County of San Bernardino

Proposed Mission Boulevard Joint Redevelopment Project Area

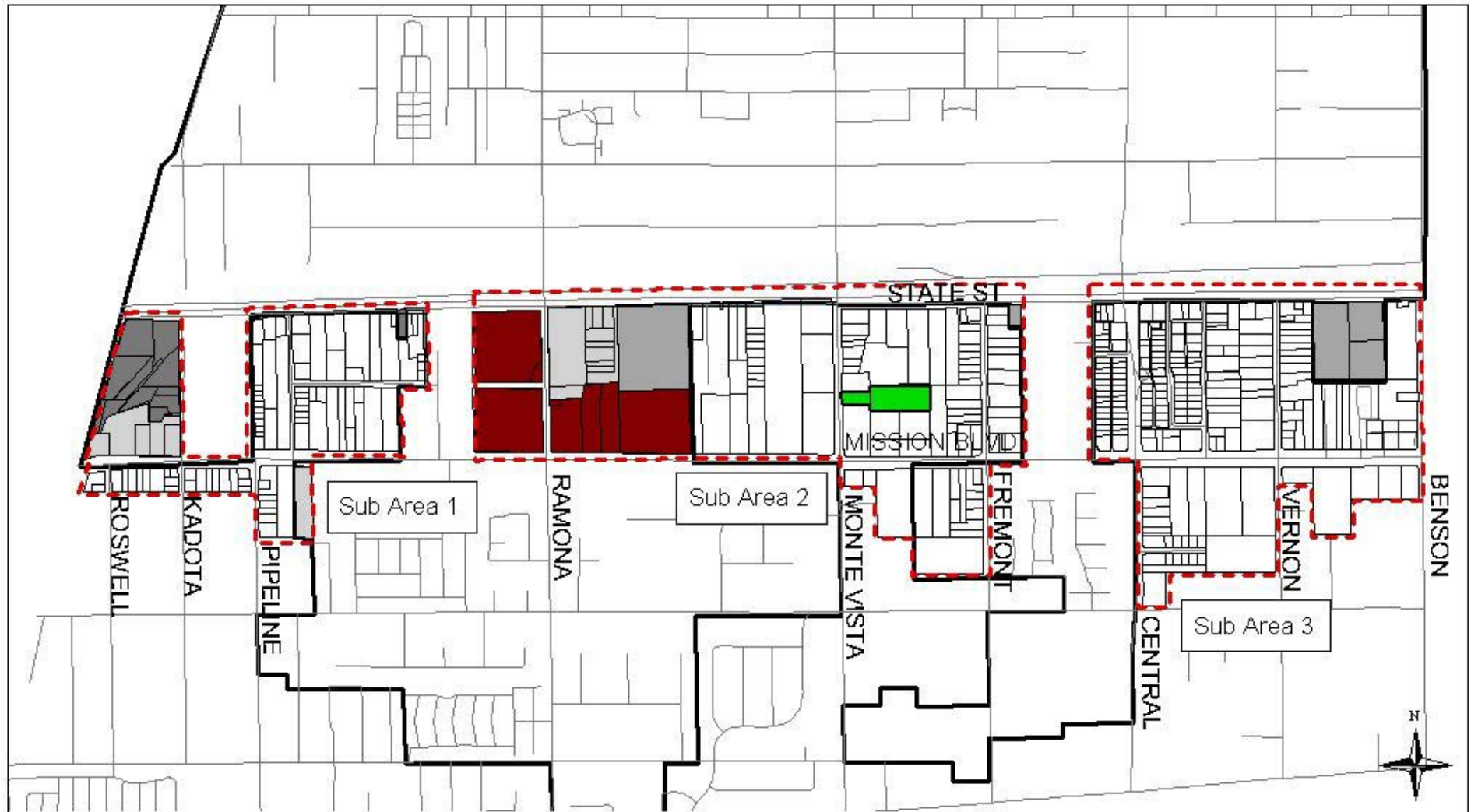


Exhibit C: City Land Use Map

0.2 0 0.2 0.4 Miles

Legend

- Project Area Boundary
- City Boundary
- General Commercial
- Industrial Park
- Limited Manufacturing
- Public/Quasi Public

- General Commercial
- Industrial Park
- Limited Manufacturing
- Public/Quasi Public



Rosenow Spevacek Group, Inc.

March 2003



City of Montclair and County of San Bernardino

Proposed Mission Boulevard Joint Redevelopment Project Area



Exhibit D: County Land Use Map



Legend	
	Project Area Boundary
	City Boundary
County Land Use	
	IC Community Industrial
	GC General Commercial
	RS Single Residential
	CN Neighborhood Commercial
	RS-10K Residential, 10,000 sq. ft. min lot size
	RS-20K Residential, 20,000 sq. ft. min. lot size
	CS Service Commercial



Rosenow Spevacek Group, Inc.

May 2003

Exhibit E

Proposed Public Improvements

The City Agency has acknowledged the need for a number of public improvements throughout the proposed Project Area. The City Agency hopes to install streetlights, landscaping, improved signage and additional parking facilities, bike lanes and transit improvements, curbs, gutters and sidewalks, sewer, water and storm drainage systems, and other facilities to aid in improving the general circulation system and roadways and improved access to all properties. Projects include, but are not limited to, the following:

Project Description (approx locations and distances)
Mission Blvd. Storm drain from Silicon Ave, to Monte Vista Ave.
Mission Blvd. Rehabilitation and widening from County line to Benson Ave
Mission Blvd. Median construction and landscaping
Signal modifications at Pipeline, Ramona, Monte Vista and Central Avenues
Signal install at Roswell, Kadota, Fremont, Benson and Vernon Avenues
Utility undergrounding County line to Benson Avenue
Entry monumentation - 2 points
Sanitary sewer construction-South side of Mission Boulevard
Monte Vista Avenue rehabilitation and widening from Mission Boulevard to Hold Boulevard
Monte Vista Avenue grade separation at Union Pacific Railroad
Monte Vista Avenue storm drain from State Street to Holt Boulevard
Ramona Avenue grade separation at Union Pacific Railroad
Ramona Avenue rehabilitation and widening- 700' North and South of Mission Boulevard
Utility underground- Phillips Boulevard to Hold Boulevard